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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,897	02/14/2002	Toshihisa Kuroiwa	032326.02	8829
7590 03/24/2005				
OLIFF & BERRIDGE, PLC P.O. Box 19928 Alexandria, VA 22320			EXAMINER NGUYEN, LUONG TRUNG	
			ART UNIT 2612	PAPER NUMBER

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,897

Applicant(s)

KUROIWA, TOSHIHISA

Examiner

LUONG T NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 08/732,990.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/14/02</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

I. Acknowledgment is made of applicant's claim for foreign priority under 35

U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 08/732,990, filed on 10/16/1996.

Drawings

2. The drawings are objected to because of the following informalities:

In Figures 1 and 6, there is missing a line with arrow connected from "frame memory 14" to "D/A Converter 18", which indicates "data output from the frame memory 14 is output to a video output terminal 19 through a D/A converter 18" as disclosed in specification, page 9, lines 6-9. It is noted that this arrow line has been shown in Figures 1 and 6, filed on 02/14/02.

In Figure 6, "control circuit 25a" should be changed to --control circuit 25--.

In Figure 6, "mode changing switch 22a" should be changed to --mode changing switch 22--.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must

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be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 1-4 are objected to because of the following informalities:

Claim 1 (lines 7-8, 9, 11, 15, 19, 21, 23) recite the limitation "image data information," therefore, in claim 1 (line 4), "image information" should be changed to --image data information--.

Claim 2 (lines 8, 15, 19, 25, 27, 32, 34) recite the limitation "image data information," therefore, in claim 2 (line 2), "image information" should be changed to --image data information--.

Claim 2 (line 26), "selecting means" should be changed to --selecting member--.

Claim 3 (lines 8, 10, 14, 22-23) recite the limitation "image data information," therefore, in claim 2 (lines 4, 21) and claim 4 (line 2), "image information" should be changed to --image data information--.

Claim 4 is objected as being dependent on claim 3.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable Submitted Prior Art (Figures 6 and 7(a)-7(c), Specification, Pages 1-3) in view of Watanabe (U. S. Patent No. 5,528,293).

Regarding claim 1, the Submitted Prior Art discloses an electronic camera comprising a control circuit (control circuit 25, Figure 6, Specification, Page 2) that performs various controlling such as shooting processing and image processing; a recording medium (memory card 17, Figure 6, Specification, Page 2) that records image information which has been shot; a mode switch member (mode changing switch 22, Figure 6, Specification, pages 1-3) that is disposed on a body surface of the electronic camera, so as to be externally operable, which is electrically connected to the control circuit, and which switches between a shooting mode that records a shot image as shot image data information to the recording medium, and a replay mode which replays the recorded shot image data information; a display device (monitor 20, Figure 6, Specification, page 2) which is disposed in the body surface of the electronic camera and displays the recorded shot image data information; a selecting member (mode changing switch 22, Figure 6, Specification, pages 1-3) that is electrically connected to the control circuit and is disposed on the body surface of the electronic camera, so as to be externally operable, and which

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selects one shot image data information among the plurality of recorded shot image data information in the replay mode.

The Submitted Prior Art fails to specifically disclose a changing device that has a changing operation member which is disposed on the body surface of the electronic camera, so as to be externally operable, is electrically connected to the control circuit, and changes file attribute information of the recorded shot image data information in accordance with the operation of the changing operation member; and wherein, after replaying the recorded shot image data information selected by the selecting member in the replay mode on the display device, when the changing operation member is operated, the file attribute information of the recorded shot image data information on the recording medium is changed.

However, Watanabe teaches a digital electronic camera discloses a mode selecting switch 28, which selects either one of a compression mode (JPEG system) or an uncompression mode (TIFF system). In the compression mode, a format of a data file comprises a JPEG header, in the uncompression mode, a format of a data file comprises a TIFF header. When the mode selecting switch a compression mode (JPEG system) or an uncompression mode (TIFF system), the header of a file will change from JPEG header to TIFF header or from TIFF header to JPEG header, that means the header of a data file change when mode switch 28 changes (changing file attribute information in accordance with the operation of the changing operation member, Figures 1, 2a, 2b, Column 4, Line 53 – Column 5, Line 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in the Submitted Prior Art by the teaching of Watanabe in order to provide a digital electronic still camera capable

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of recording both compressed image data and uncompressed image data in a memory card in a form compatible with an ordinary personal computer (Column 2, Lines 16-21).

Regarding claim 3, the Submitted Prior Art discloses an electronic camera comprising a control circuit (control circuit 25, Figure 6, Specification, Page 2) that performs various controlling such as shooting processing and image processing; a recording medium (memory card 17, Figure 6, Specification, Page 2) that records image information which has been shot; a mode switch member (mode changing switch 22, Figure 6, Specification, pages 1-3) that is disposed on a body surface of the electronic camera, so as to be externally operable, which is electrically connected to the control circuit, and which switches between a shooting mode that records a shot image to the recording medium, and a replay mode which replays the recorded shot image data information; a display device (monitor 20, Figure 6, Specification, page 2) which is disposed in the body surface of the electronic camera and displays the recorded shot image data information; a selecting member (mode changing switch 22, Figure 6, Specification, pages 1-3) that is electrically connected to the control circuit and is disposed on the body surface of the electronic camera, so as to be externally operable, and which selects one shot image data information among the plurality of recorded shot image data information in the replay mode.

The Submitted Prior Art fails to specifically disclose a changing device that has a changing operation member which is disposed on the body surface of the electronic camera, so as to be externally operable, is electrically connected to the control circuit, and changes file attribute information of the recorded shot image data information in accordance with the operation of the changing operation member; and wherein, after completion of recording to the

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recording medium of the recorded image information which has been shot in the shooting mode, when the changing operation member is operated, the file attribute information of the recorded shot image data information on the recording medium is changed.

However, Watanabe teaches a digital electronic camera discloses a mode selecting switch 28, which selects either one of a compression mode (JPEG system) or an uncompression mode (TIFF system). In the compression mode, a format of a data file comprises a JPEG header, in the uncompression mode, a format of a data file comprises a TIFF header. When the mode selecting switch a compression mode (JPEG system) or an uncompression mode (TIFF system), the header of a file will change from JPEG header to TIFF header or from TIFF header to JPEG header, that means the header of a data file change when mode switch 28 changes (changing file attribute information in accordance with the operation of the changing operation member, Figures 1, 2a, 2b, Column 4, Line 53 – Column 5, Line 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in the Submitted Prior Art by the teaching of Watanabe in order to provide a digital electronic still camera capable of recording both compressed image data and uncompressed image data in a memory card in a form compatible with an ordinary personal computer (Column 2, Lines 16-21).

Regarding claim 4, Watanabe discloses wherein the selecting member can select the recorded image information which has been recorded to the recording medium in the shooting mode, and the tile attributes information of the recorded shot image data information is changed when the changing operation member is operated (Watanabe teaches a digital electronic camera discloses a mode selecting switch 28, which selects either one of a compression mode (JPEG

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system) or an uncompression mode (TIFF system). In the compression mode, a format of a data file comprises a JPEG header, in the uncompression mode, a format of a data file comprises a TIFF header. When the mode selecting switch a compression mode (JPEG system) or an uncompression mode (TIFF system), the header of a file will change from JPEG header to TIFF header or from TIFF header to JPEG header, that means the header of a data file change when mode switch 28 changes (the file attribute information is changed when the changing operation member is operated, Figures 1, 2a, 2b, Column 4, Line 53 – Column 5, Line 65).

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over submitted Prior Art (Figures 6 and 7(a)-7(c), Specification, Pages 1-3) in view of Watanabe (U. S. Patent No. 5,528,293) further in view of Parulski et al. (U. S. Patent No. 5,633,678) and Zhou et al. (U. S. Patent No. 5,732,150).

Regarding claim 2, the Submitted Prior Art discloses an image processing system comprising an electronic camera, the electronic camera comprising a control circuit (control circuit 25, Figure 6, Specification, Page 2) that performs various controlling such as shooting processing and image processing; an external recording medium (memory card 17, Figure 6, Specification, Page 2) that is detachable from the electronic camera and records the shot image data information; a mode switch member (mode changing switch 22, Figure 6, Specification, pages 1-3) that is disposed on a body surface of the electronic camera, so as to be externally operable, which is electrically connected to the control circuit, and which switches between a shooting mode that records a shot image to the recording medium, and a replay mode which replays the recorded shot image data information; a display device (monitor 20, Figure 6,

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Specification, page 2) that is disposed in the body surface of the electronic camera and displays the recorded shot image data information; a selecting member (mode changing switch 22, Figure 6, Specification, pages 1-3) that is electrically connected to the control circuit and is disposed on the body surface of the electronic camera, so as to be externally operable, and which selects one shot image data information among the plurality of recorded shot image data information in the replay mode.

The Submitted Prior Art fails to specifically disclose a changing device that has a changing operation member which is disposed on the body surface of the electronic camera, so as to be externally operable, is electrically connected to the control circuit, and changes file attribute information of the recorded shot image data information in accordance with the operation of the changing operation member; and wherein, after replaying the recorded shot image data information selected by the selecting member in the replay mode on the display device, when the changing operation member is operated, the file attribute information of the recorded shot image data information on the recording medium is changed.

However, Watanabe teaches a digital electronic camera discloses a mode selecting switch 28, which selects either one of a compression mode (JPEG system) or an uncompression mode (TIFF system). In the compression mode, a format of a data file comprises a JPEG header, in the uncompression mode, a format of a data file comprises a TIFF header. When the mode selecting switch a compression mode (JPEG system) or an uncompression mode (TIFF system), the header of a file will change from JPEG header to TIFF header or from TIFF header to JPEG header, that means the header of a data file change when mode switch 28 changes (changing file attribute information in accordance with the operation of the changing operation member, Figures 1, 2a,

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2b, Column 4, Line 53 – Column 5, Line 65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in the Submitted Prior Art by the teaching of Watanabe in order to provide a digital electronic still camera capable of recording both compressed image data and uncompressed image data in a memory card in a form compatible with an ordinary personal computer (Column 2, Lines 16-21).

The Submitted Prior Art and Watanabe fail to specifically disclose an external processing device that processes image information that has been shot by the electronic camera; and the external processing device comprising a reading part that can receive the shot image data information which has been processed by the electronic camera through the external recording medium, and a processing part.

However, Parulski et al. teaches a host computer 4 (Figure 1, Column 1, Lines 23-45) that processes image data that has been shot by camera 1. The host computer 4 comprises memory card reader 5 (reading part, Figure 1, Column 1, Lines 23-45) and CPU 9b (processing part, Figure 1, Column 1, Lines 23-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in the Submitted Prior Art and Watanabe by the teaching of Parulski et al. in order to allow the image captured by a camera to be processed by a external device such as a personal computer.

The Submitted Prior Art, Watanabe and Parulski et al. fail to specifically disclose a processing part that batch-processes the shot image data information which has been read by the reading part in accordance with the file attribute information of the shot image data information.

However, Zhou et al. teaches computer 24, which has a computer program to run a batch mode image analysis procedure (Column 13, Lines 19-35). Therefore, it would have been

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obvious to one of ordinary skill in the art at the time the invention was made to modify the device in the Submitted Prior Art, Watanabe and Parulski et al. by the teaching of Zhou et al. in order to process a large amount of image data without user intervention (Column 13, Lines 25-26).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Watanabe et al. (U. S. Patent No. 5,590,306) discloses memory card management system for writing data with usage and recording codes made significant.

Sakaegi (U. S. Patent No. 6,040,856) discloses electronic camera capable of performing photography and character recognition.

Uehara et al. (U. S. Patent Application No. 2001/0038417) discloses digital still camera.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T NGUYEN whose telephone number is (703) 308-9297 or (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929 or (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN
03/20/05



LUONG T. NGUYEN
PATENT EXAMINER